

REMARKS

Claim 1 calls a non-volatile memory with two partitions, metadata for a first partition stored in a second partition and accessing the second partition upon system boot.

With respect to the requirement for storing the metadata for one partition in the other partition, column 9, lines 41-47, of March are relied upon. That material relates to Figure 8B. A review of Figure 8B shows that the structure illustrated therein is exactly the opposite of what is claimed. As shown in Figure 8B, there is a partition 1 that includes a file system structure stored within partition 1. The file system structure is the first and last files of the partition. The specification explains that "When the file system creates a partition in the memory device, the file system reserves at least one memory location for file system structures of the partition (here, the first and last block of a partition)." See column 9, lines 48-52.

Thus, the reference uses the term "partition" and the Examiner contends that the file system structures constitute the metadata. However, contrary to the claim, the asserted metadata for the partition is stored in the partition itself. In other words, the metadata for one partition is not stored in another partition.

Therefore, the application of March to the claimed invention is problematic and, if anything, March teaches clearly and distinctly away from the combination. Most certainly, a Section 102 rejection relying on March should be reconsidered.

Claim 2 calls for storing the metadata as a packed metadata block. The office action suggests that this element is disclosed or inherent in March. A search of the reference suggests no teaching of packed metadata. The limitation cannot be inherent because it is equally possible to store the metadata in the same fashion as the other data, namely, in an unpacked fashion. In short, even the general concept of packing metadata differently than the data to which the metadata relates is nowhere suggested in the reference.

Therefore, the rejection of claim 2 should be reconsidered.

Likewise, claim 5 calls for updating the metadata atomically when a line of cached data in the first partition section is changed. Again, the claim is rejected on the grounds that it is either disclosed or inherent. No teaching disclosing the feature can be found in the reference. With respect to the suggestion of inherency, certainly, instead of updating with one atomic transaction, two separate transactions may be done. Therefore, it cannot be inherent because it is not necessarily done in this way.

As a result, reconsideration of the rejection of claim 5 is also requested. On the same basis, reconsideration of claims 8, 14, 23, 25, 28, and 29 is respectfully requested.

In short, neither reference either expressly or inherently discloses limitations such as those contained in dependent claims 2 or 5 and, therefore, at least these claims should be allowed.

With respect to the rejection based on Raju of the independent claims, the remarks in the previous response are incorporated herein.

Respectfully submitted,

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